	Case 5:07-cv-06283-JF Document 2 Filed 12/20/2007 Page 1 of 3
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9	NOT FOR CITATION
10	IN THE UNITED STATES DISTRICT COURT
11	FOR THE NORTHERN DISTRICT OF CALIFORNIA
12	CARMEN ROY MALDONADO, JR,) No. C 07-6283 JF (PR)
13	Petitioner,) ORDER CORRECTING
14	vs.) ERRONEOUS FILING; CLOSING CASE;
15) INSTRUCTIONS TO CLERK CALIFORNIA DEPARTMENT OF)
16	CORRECTIONS,
17	Respondent.)
18	
19	Petitioner, proceeding <u>pro</u> <u>se</u> , filed the instant habeas petition pursuant to 28
20	U.S.C. § 2254 on December 12, 2007. Petitioner filed another habeas action with the
21	Court, in case no. C 07-6282 JF (PR), which was filed on the same day, December 12,
22	2007. It appears that the instant petition was mistakenly received and opened as a new
23	case in the instant action. Accordingly, the Clerk is instructed to copy all documents
24	from the instant case and transfer the documents to Petitioner's earlier filed habeas action
25	in case number C 07-6282 JF (PR).
26	Because the instant case was opened erroneously, the Clerk shall close the file and
27	terminate any pending motions. The Clerk shall REFUND Petitioner's payment of the
28	\$5.00 filing fee in this action.
	Order Correcting Erroneous filing; Closing Case; Instructions to Clerk P:\pro-se\sj.jf\hc.07\Maldonado283close 1

The Clerk shall forward a copy of this order to the Court's financial office. The Court will review the merits of the petition in a separate order in case number C 07-6282 JF

IT IS SO ORDERED.

United State District Judge

Order Correcting Erroneous filing; Closing Case; Instructions to Clerk P:\pro-se\sj.jf\hc.07\Maldonado283close

Case 5:07-cv-06283-JF Document 2 Filed 12/20/2007 Page 3 of 3 A copy of this ruling was mailed to the following: Carmen Roy Maldonado, Jr. P.O. Box 2790 Salinas, CA 93902 Order Correcting Erroneous filing; Closing Case; Instructions to Clerk P:\pro-se\sj.jf\hc.07\Maldonado283close